

10/083,821

REMARKS

The Applicant would like to thank Examiner Donnelly for the analysis set forth in the Examination Report. In particular, the Applicant would like to thank the Examiner for indicating that allowable subject matter is recited in this application.

Claim Rejections under 35 U.S.C. § 103

Claims 1-4, 9 and 10 presently stand rejected as being unpatentable over Brandt in view of Rumell. The Applicant acknowledges and respectfully traverses the raised obviousness rejection in view of the following remarks.

The Applicant is taking the allowable subject matter of Claim 5 and incorporating the same into Claim 1. It is believed that this amendment places claims 1, as well as dependent claims 2-4, in a suitable condition for allowance. In addition, claim 5 is cancelled from the application.

Upon reviewing the analysis of the Examiner relating to the "universal joint mounting" of Brandt, the Applicant noted significant differences in the structure of Brandt. In order to distinguish over the universal joint mounting of Brandt, the following further limitations have been added to Claim 9: "and the entire universal joint, including the first horizontal axis and the second horizontal axis being disposed above the gripping bar."

It is believed that such amendment to Claim 9 places that claims, as well as dependent Claims 10-13, in suitable condition for allowance.

Claim 14, which was objected to, appears to be allowable as no art or other rejection was raised with respect to this independent claim. If any further amendment to this application, including Claim 14, is believed necessary to advance prosecution and place this case in allowable form, the Examiner is courteously solicited to contact the undersigned representative of the Applicant to discuss the same.

In view of the above amendments and remarks, it is respectfully submitted that all of the raised rejection(s) should be withdrawn at this time. If the Examiner disagrees with the Applicant's view concerning the withdrawal of the outstanding rejection(s) or applicability of the

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Brandt '047 and/or Rumell 369 references, the Applicant respectfully requests the Examiner to indicate the specific passage or passages, or the drawing or drawings, which contain the necessary teaching, suggestion and/or disclosure required by case law. As such teaching, suggestion and/or disclosure is not present in the applied references, the raised rejection should be withdrawn at this time. Alternatively, if the Examiner is relying on his/her expertise in this field, the Applicant respectfully requests the Examiner to enter an affidavit substantiating the Examiner's position so that suitable contradictory evidence can be entered in this case by the Applicant.

In view of the foregoing, it is respectfully submitted that the raised rejection(s) should be withdrawn and this application is now placed in a condition for allowance. Action to that end, in the form of an early Notice of Allowance, is courteously solicited by the Applicant at this time.

The Applicant respectfully requests that any outstanding objection(s) or requirement(s), as to the form of this application, be held in abeyance until allowable subject matter is indicated for this case.

In the event that there are any fee deficiencies or additional fees are payable, please charge the same or credit any overpayment to our Deposit Account (Account No. 04-0213).

Respectfully submitted,



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